

Attorney Docket No. 029065.48885D1

CUSTOMER NO. 23911

**REQUEST FOR FILING A PATENT APPLICATION UNDER**  
**UNDER 37 C.F.R. §1.53(b)**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Prior Application Serial No: 09/858,891

Filed: May 17, 2001

Examiner: Misook YU

Group: 1642

**Mail Stop Patent Application**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is a request for filing a divisional application under 37 C.F.R. §1.53(b) of pending prior application Serial No. 09/858,891, filed May 17, 2001, of Xuri LI, Karin AASE and Ulf ERIKSSON, entitled METHODS FOR DETECTING FOR THE PRESENCE OF TUMOR CELLS AND FOR SCREENING FOR ANTI-TUMOR AGENTS.

1. Accompanying this order is a true copy of the prior application as originally filed, including 19 claims (28 pages), Sequence Listing (2 pages) and 6 Sheets of Formal Drawings showing Figs. 1-11. A copy of executed Declaration and Power of Attorney is also attached.
2. The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied herewith, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
3. Cancel in this application original Claims 1-16 of the prior application before calculating the filing fee.
4. The filing fee is calculated below:

**CLAIMS AS FILED, INCLUDING ANY CLAIMS**  
**CANCELED OR ADDED BY PRELIMINARY AMENDMENT**

Basic Fee						\$385/770 = \$770.00
Total Claims	<u>3</u>	-	20	=	x	\$ 9/18 = \$
Independent Claims	<u>3</u>	-	3	=	x	\$43/86 = \$
Multiple Dependent Claim Presented						\$145/290 = \$
Total Filing Fee						<u>\$770.00</u>

5. A check in the amount of \$770.00 to cover the filing fee is enclosed.
6. The Commissioner is hereby authorized to charge any additional fee, or credit any overpayment to Deposit Account No. 05-1323 (Docket No. 029065.48885D1).
7. Kindly amend the specification by inserting before the first line the following sentence:  
  
-- This application is a division of co-pending application Serial No. 09/858,891, filed May 17, 2001, and now U.S. Patent No. \_\_\_\_\_.--
8. The prior application is assigned to Ludwig Institute for Cancer Research and the assignment was recorded on September 17, 2001 at Reel 012165, Frame 0923.
9. Priority of US provisional application No. 60/204,748 filed on May 17, 2000 is claimed under 35 USC §119(e).
10. The power of attorney in the prior application is to:  
James. F. McKeown, Reg. No. 25,406  
Donald D. Evenson, Reg. No. 26,160  
Gary R. Edwards, Reg. No. 31,824  
Joseph D. Evans, Reg. No. 26,269  
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Herbert I. Cantor, Reg. No. 24,392

and appears in the original application papers in the prior application.

11. Address all future correspondence to:

J. D. Evans  
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Washington, D.C. 20044-4300  
Facsimile No.: (202) 628-8844

Address telephone communications to J. D. Evans at (202) 624-2845.


12. An Information Disclosure Statement is submitted herewith, together with a copy of Form PTO-892 listing prior art made of record in the prior application.
13. Other items submitted herewith:

Application Data Sheet, and

Request for Transfer of Computer Readable Form of Sequence Listing

Respectfully submitted,

November 13, 2003

  
\_\_\_\_\_  
J. D. Evans  
Registration No. 26,269

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